

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
WEDNESDAY, MAY 21, 1986

[illegible]

Absent: Council Members - Hinchman

Also Present: City Manager Peterson, Assistant City
Manager Glenn, Community Development
Director Schroeder, Public Works Director
Ronsko, City Attorney Stein, and City Clerk
Reimche

INVOCATION The invocation was given by Assistant City Manager Glenn.

PLEDGE OF ALLEGIANCE The Pledge of Allegiance was led by Mayor Reid.

PRESENTATIONS Mayor Reid presented Certificates of Appreciation to retiring members of the Lodi Arts Commission:

CC-9

CC-2 (k)

a) Gwinnett Mitchell

b) Elaine Wait

c) Allyn R. Fermier

d) Cecil Church

REPORTS OF THE
CITY MANAGER

CONSENT CALENDAR In accordance with report and recommendation of the City Manager, Council, on motion of Mayor Pro Tempore Olson, Reid second, approved the following actions hereinafter set forth.

* * * * *

CLAIMS CC-21(a) Claims were approved in the amount of \$1,128,804.06.

MINUTES No Minutes were presented for approval.

ACCEPT IMPROVEMENTS,
RIVERGATE MOKELUMNE
#2

RES. NO. 86-74

CC-46
CC 300

Council was apprised that the improvements in Rivergate Mokelumne, Unit No. 2, have been completed in substantial conformance with the requirements of the Subdivision Agreement between the City of Lodi and Lodi Development, Inc., dated June 4, 1985 and as specifically set forth in the approved plans and specifications.

Council adopted Resolution No. 86-74 accepting the subdivision improvements included in Tract Map No. 1976, Rivergate Mokelumne, Unit No. 2.

ACCEPT IMPROVEMENTS,
905 RUTLEDGE DRIVE

RES. NO. 86-75

CC-46
22 400

Council was apprised that the improvements for 905 Rutledge Drive have been completed in substantial conformance with the requirements of the Development Agreement between the City of Lodi and Stockton Service

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Corp. and Bennett and Compton, Inc. dated November 7, 1984, and as specifically set forth in the approved plans and specifications.

Council adopted Resolution No. 86-75 accepting the development improvements included in the agreement for 905 Rutledge Drive.

ACCEPT DEVELOPMENT
IMPROVEMENTS INCLUDED
IN PARCEL MAP OF 840
S. CLUFF AVENUE

RES. NO. 86-76

Council was apprised that the improvements for 840 S. Cluff Avenue have been completed in substantial conformance with the requirements of the Development Agreement between the City of Lodi and MCP Investments dated September 16, 1985, and as specifically set forth in the approved plans and specifications.

CC-46
CC 360

Council adopted Resolution No. 86-76 accepting the development improvements and streets included in Parcel Map for 840 S. Cluff Avenue.

ACCEPT DEVELOPMENT
IMPROVEMENTS INCLUDED
IN LODI PARK WEST,
UNIT NO. 4

RES. NO. 86-77

Council was apprised that the improvements for Lodi Park West, Unit No. 4 have been completed in substantial conformance with the requirements of the subdivision agreement between the City of Lodi and Lodi Park West, a limited partnership, dated August 7, 1985 and as specifically set forth in the approved plans and specifications.

CC-46
CC 360

Council adopted Resolution No. 86-77 accepting the subdivision improvements and streets included in Tract Map No. 1986, Lodi Park West, Unit No. 4.

ACCEPT SUBDIVISION
IMPROVEMENTS AND
STREETS INCLUDED IN
LODI PARK WEST, UNIT
NO. 5

RES. NO. 86-78

Council was informed that the improvements in Lodi Park West, Unit No. 5, have been completed in substantial conformance with the requirements of the Subdivision Agreement between the City of Lodi and Lodi Park West, a limited partnership, dated August 7, 1985, and as specifically set forth in the approved plans and specifications.

CC-46
CC 360

Council adopted Resolution No. 86-78 accepting the subdivision improvements and streets included in Tract Map No. 1995, Lodi Park West, Unit No. 5.

AWARD - BID FOR
PURCHASE OF THREE-
PHASE PADMOUNT
SWITCHGEAR

RES. NO. 86-79

City Manager Peterson presented the following bids which had been received for one three-phase padmount switchgear:

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CC-12(d) RTE Corporation, \$9,654.48

CC-20

cc 300

G. E Supply Co., \$11,702.40

A. B. Chance Co., \$11,770.79

Trayer Engineering Corp., \$12,973.34

Council adopted Resolution No. 86-79 awarding the bid for one three-phase padmount switchgear to RTE Corporation in the amount of \$9,654.48.

AGREEMENT WITH
LODI UNIFIED SCHOOL
DISTRICT FOR USE OF
THE STADIUM

RES. NO. 86-80

Council adopted Resolution No. 86-80 authorizing the execution of an agreement between the City of Lodi and the Lodi Unified School District providing for the use of the Grape Bowl by the District and authorizing the Mayor and City Clerk to execute the subject document on behalf of the City.

CC-7(e)

CC-27(b)

cc 300

RISK AND INSURANCE
MANAGEMENT PROCEDURES
ADOPTED

RES. NO. 86-81

Council adopted Resolution No. 86-81 adopting Risk and Insurance Management Procedures for the City of Lodi.

CC-21.1(d)

cc 300

PUBLIC HEARING SET
FOR SAN JOAQUIN
COUNTY SOLID WASTE
MANAGEMENT PLAN

CC-7(b)

CC-54

City Manager Peterson advised Council that San Joaquin County, as lead agency, is proposing to adopt a Negative Declaration pursuant to the California Environmental Quality Act (CEQA) for the 1986 San Joaquin County Solid Waste Management Plan. A public review period has been scheduled for early June, 1986. This public hearing will afford interested citizens an opportunity to comment on the plan. Representatives of the County's Public Works Department will be in attendance to present this item and answer any questions raised.

Council set Wednesday, June 4, 1986 at 7:30 p.m. as the date and time for the Public Hearing to consider the San Joaquin County Solid Waste Management Plan.

SPECS FOR PHOTO
COPY MACHINE FOR
POLICE DEPARTMENT
APPROVED

CC-12.1(b)

Council approved the specifications for a photo copy machine for the Police Department and authorized the advertising for bids thereon.

PUBLIC HEARINGS

There were no Public Hearings scheduled for this meeting.

PLANNING COMMISSION
REPORT

City Manager Peterson presented the following Planning Commission Report of the Planning Commission Meeting of May 12, 1986.

CC-35

The Planning Commission -

ITEM SET FOR
PUBLIC HEARING

1. Recommended that the size of signs in areas zoned R-C-P, Residential-Commercial-Professional be

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increased from 1 square foot of sign for each 5 lineal feet of structure to 1 square foot of sign for each 2 lineal feet and that such signs may be illuminated. On motion of Council Member Pinkerton, Olson second, Council set the heretofore listed item for public hearing on Wednesday, June 4, 1986 at 7:30 p.m.

The Planning Commission also

1. Adopted a policy which states that the net acreage of a multiple-family site shall be used when calculating the maximum number of apartment units in a project and denied the request of John McCoy for the approval of 80 units on a parcel with a net acreage of 3.78 where the maximum density is 20 units per acre at the northwest corner of South Cherokee Lane and West Century Boulevard.
2. Recommended that San Joaquin County approve the request of Valley Landscaping and Maintenance due to develop an office and yard for a wholesale nursery at 12100 and 13070 Lower Sacramento Road.
3. Reviewed the alternate plans for the Lakeshore Towers project on South Mills Avenue in Lakeshore Village and suggested that the developer, John Giannoni, Jr., c/o Search Development, modify the plans for the Alternate with the brick facing, and abandon the building with the stucco exterior.

REMOVAL OF SIGN

DIRECTED BY COUNCIL

CC-16

Following introduction of the matter by Council Member Pinkerton and Council discussion, Staff was directed to proceed with the removal of a spray painted sign located in the area of Pine and Sacramento Street.

COMMUNICATIONS

(CITY CLERK)

EXTENSION GRANTED
TO OBTAIN BUILDING
PERMIT ON PROJECT
AT 336 EAST
HILBORN STREET,
LODI

Following receipt of a letter from Angel Fanos of Fanco Builders, requesting relief from the eastside building moratorium as it pertains to an extension for a building permit for construction on property at 336 Hilborn Street, Lodi, Council, on motion of Mayor Reid, Olson second, granted Mr. Fanos an extension of 30 days to obtain a building permit for this project. This extension will expire at 5:00 pm., Monday, June 23, 1986.

CC-6

CC-35

ABC LICENSES

CC-7(f)

City Clerk Reimche presented the following applications which had been received for Alcoholic Beverage Licenses:

- a) Dana E. Bietz, 14 West Pine Street, Lodi, On sale beer and wine eating place, new license
- b) MacGregors Fine Foods, Inc., F. Cameron Dale, et al, 1110 West Kettleman Lane, Lodi, Suite 5, Lodi, Off sale beer and wine

CLAIMS

CC-4(c)

Following recommendation of the City Attorney and the City's Contract Administrator, L. J. Russo Insurance Services, Inc., Council, on motion of Council Member Snider, Olson second rejected the following claims and referred them back to the City's Contract Administrator:

Naitha Strickland, FCL 12/9/85

Ronald Flaherty, LCI 5/21/86

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Council Member Pinkerton expressed his consternation in that a very reputable local legal firm would represent Mr. Flaherty in his suit against the City and that he felt that this type of case is an example of why it is so important that Proposition 51 passes.

LIABILITY CLAIM OF
LLOYD AND MILDRED
J. GUMS

CC-4(c)
CC-27(a)

City Attorney Stein reported that when K Mart developed its property on Cherokee Lane in Lodi in 1981, the engineer and developer were required to obtain an easement for a watermain to serve that property. They went to Central Traction Company and received a letter agreement allowing the watermain over said property. Approximately six or seven months ago, Lloyd Gums advised the City that the property in question had been purchased by him and in fact the easement should have been obtained from him rather than from Central Traction Company. Mr. Gums is in the process of developing his property with a building. The City would either have had to remove the line or condemn the line at its present location. It was determined by the City that the cost of removing the line would be approximately \$7,000 and therefore entered into negotiations with Mr. Gums with the possibility of having the easement at the present location. The City Engineering Department and City Attorney, after such negotiations, determined it would be in the best interest of the City to purchase the easement for \$7,000. If the City were required to condemn the easement, the City would have had the expense of having an appraisal done as well as the cost of litigation of same.

Following a lengthy discussion with questions being directed to Staff and to the City Attorney, Council, on motion of Council Member Snider, Reid second, approved settlement in this matter as recommended by staff in the amount of \$7,000.

SUPPORT OF
PROPOSITION 43
URGED

RES. NO. 86-82

CC-19
CC-28
cc 3cc

Following introduction of the matter by Staff and recommendation by the City of Lodi Recreation and Parks Commission, Council, on motion of Mayor Pro Tempore Olson, Pinkerton second, adopted Resolution No. 86-82 urging support of Community Parklands Act of 1986, Proposition 43.

PROPOSITION 44
WATER QUALITY BOND
LAW OF 1986

CC-19
CC-28

City Clerk Reimche presented a letter which had been received from Jim Costa, Chairman of the California Legislature Assembly Committee on Water, Parks and Wildlife urging endorsement of Proposition 44, the Water Conservation and Water Quality Bond Law of 1986 which appears on California's June 3, 1986, direct primary ballot.

A lengthy discussion followed regarding the matter with questions being directed to Staff.

Mayor Reid moved to adopt Resolution No. 86-83 endorsing passing of Proposition 44. The motion was seconded by Mayor Pro Tempore Olson but failed to pass by the following vote:

Ayes: Council Members - Olson and Reid

Noes: Council Members - Pinkerton and Snider

Absent: Council Members - Hinchman

Continued May 21, 1986

COMPLAINT RECEIVED
REGARDING CLEANUP
OF LODI LAKE
WILDERNESS AREA

CC-16
CC-27(c)

City Clerk Reimche presented a letter which had been received from Edna Stafford, 1736 LeBec Court, Lodi, complaining about a recent cleanup effort conducted at the Lodi Lake Wilderness area.

On motion of Mayor Pro Tempore Olson, Reid second, Council referred the letter to Staff for resolution of the complaint received regarding this matter.

PUBLIC HEARING SET
REGARDING SIDEWALK
INSTALLATION AT 302
N. CALIFORNIA STREET,
LODI

CC-45(e)

Following introduction of the matter by Staff, Council, on motion of Council Member Snider, Olson second, set June 4, 1986 at 7:30 p.m. as the time to hear and pass upon objections or protests raised by the owner of the property at 302 N. California Street regarding the "Notice to Construct Sidewalks" on the Hutchins Street frontage of his property.

CONSULTANT RETAINED
FOR TECHNICAL ASSISTANCE
TO MEASURE A TASK
FORCE

CC-6

Council, on motion of Council Member Snider, Olson second, authorized the City to enter into an Agreement with the firm of Jones and Stokes Associates, Inc., at a cost not to exceed \$4,500 to cover technical assistance for the Measure A Task Force.

COMMENTS BY CITY
COUNCIL MEMBERS

CC-6
CC-34

Following an inquiry by Council Member Pinkerton, Staff was requested to ascertain any procedures that may have been established in the past or agreements that are on file regarding the retaining of legal counsel during the absence of the City Attorney.

COMMENTS BY THE
PUBLIC ON NON
AGENDA ITEMS

There were no persons wishing to address the Council under this segment of the agenda.

REPORTS OF THE
CITY MANAGER

REGULAR CALENDAR

PRESENTATION BY OLD
LODI HIGH SCHOOL
SITE FOUNDATION RE
PROPOSED FINE ARTS
FACILITY

CC-27(e)

Following a presentation by Dennis G. Bennett, Chairman, Old Lodi Union High School Site Foundation, requesting the City of Lodi to advance \$450,000 for the construction of the Hutchins Street Square - Fine Arts Facility, Council, on motion of Council Member Snider, Reid second, approved guaranteeing the construction contract for this facility in the amount of \$450,000 and referred the matter to Staff for recommendation regarding the appropriate funding vehicle.

RECESS

Mayor Reid declared a 5 minute recess and the meeting reconvened at approximately 8:30 p.m.

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NEW BEGINNINGS
 ADOLESCENT CHEMICAL
 DEPENDENCY PROGRAM
 PRESENTATION

CC-24(a) Council received a presentation by Pattick J. Stoppel, Community Relations Director of New Beginnings Recovery Centers of America, Inc. regarding the New Beginnings Adolescent Chemical Dependency Program. Discussion followed with questions being directed to Mr. Stoppel by the Council.

AGENDA ITEM REGARDING
 CURBSTONING
 CONTINUED

CC-16 Following receipt of a request from Clint Kelly for continuation of Agenda item k-3 - "Presentation by Clint Kelly regarding 'curbstoning' (parking of vehicles throughout City for display or sale)" the matter was continued to the Regular Council Meeting of July 2, 1986 on motion of Mayor Pro Tempore Olson, Pinkerton second.

CC-45(a)

FINANCING OF SIDEWALK
 CONSTRUCTION IN AREAS
 DETERMINED TO QUALIFY
 FOR COMMUNITY BLOCK
 GRANT FUNDS

RES.86-83 , At its regular meeting of May 7, 1986, the City Council adopted a resolution determining the public need for sidewalk installations on the east side of Stockton Street between Vine Street and Tokay Street. The matter has been set for public hearing for the regular City Council meeting of June 4, 1986. In addition, the Council directed the Staff to develop alternatives for providing financial assistance for sidewalk installations for areas which meet the criteria for the expenditures of Community Development Block Grant funds.

CC-6
 CC-45(a)
 CC-55
 CC 300

Various alternatives were presented for Council's perusal and a lengthy discussion followed. On motion of Council Member Snider, Reid second, Council adopted Resolution No. 86-83 establishing alternatives for providing financial assistance for sidewalk installations in areas which meet the criteria for the expenditures of Community Development Block Grant funds as follows:

RESOLUTION NO. 86-83

RESOLUTION OF THE LODI CITY COUNCIL
 IN SUPPORT OF PROPOSITION NO. 44, THE WATER CONSERVATION
 AND WATER QUALITY BOND LAW OF 1986

WHEREAS, an adequate supply of good quality water is essential to the health and safety of California's ever growing population; and,

WHEREAS, adequate supplies of good quality water are vital to the maintenance and development of the State's economy; particularly California's two largest industries, tourism and agriculture, generating \$45 billion in annual revenue for California; and

WHEREAS, locally sponsored water conservation, groundwater recharge, and drainage projects are among the most cost effective ways to help insure adequate supplies of good quality water; and,

WHEREAS, in 1984, the California electorate approved a Clean Water Bond Act which provided \$10 million for low interest loans to water agencies for water conservation projects; and,

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WHEREAS, application for those loans exceeded available funds by nine times, demonstrating the need for such a program; and,

WHEREAS, the Water Conservation and Water Quality Control Bond Act, Proposition 44, on the June ballot would provide \$150 million for loans to water agencies for water conservation, groundwater recharge, and drainage projects; and,

WHEREAS, the Water Conservation and Water Quality Bond Act, Proposition 44, would be an extremely cost effective measure for Californians, costing an average of 37 cents per household annually; and,

WHEREAS, funds available from Proposition 44 are expected to be a significant help in developing locally sponsored water conservation, drainage, and groundwater recharge projects.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the City Council of the City of Lodi supports Proposition 44 and urges its passage by the California electorate on June 3, 1986.

Dated: May 21, 1986

I hereby certify that Resolution No. 86-83 was passed and adopted by the City Council of the City of Lodi in a Regular Meeting held May 21, 1986 by the following vote:

Ayes: Council Members - Hinchman, Olson, Pinkerton, Snider, and Reid (Mayor)

Noes: Council Members - None

Absent: Council Members - None

ALICE M. REIMCHE
City Clerk

VOTING DELEGATE
AND ALTERNATE
SELECTED FOR APPA

CC-6
CC-7(1)

On motion of Mayor Pro Tempore Olson, Snider second, Council designated Mayor Reid as the Voting Delegate and Council Member Snider as the Voting alternate for the American Public Power Association Annual National Conference to be held in Toronto, Ontario, Canada, June 16-18, 1986.

LEFT-TURN LANES ON
LODI AVENUE AT
CHURCH STREET, SCHOOL
STREET, AND SACRAMENTO
STREET

RES NO. 86-64 ✓

CC-45(a)
CC-48(a)
CC 300

Council was apprised that left-turn lanes and the corresponding "No Parking" zones are recommended at School and Sacramento intersections to reduce accidents and increase capacity. Modifications to the existing left-turn lanes at Church Street are also recommended. Since Lodi Avenue is scheduled to be repaved in May 1986, it is prudent to install them at this time.

These changes will result in the loss of 25 on-street spaces. The businesses in the vicinity of this study have a combined total of 228 off-street spaces. However, the range of off-street spaces per business is 4 to 133 spaces.

Raised median bumpers are recommended at all three locations to alleviate left-turning traffic problems adjacent to the intersection.

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Diagrams of the subject area were presented for Council's perusal. A lengthy discussion followed. City Clerk Reimche presented a letter that had been received from the Lodi District Chamber of Commerce Board of Directors indicating its support of the recommendation of the Highway and Transportation Committee to support the City in its efforts to install left turn lanes on Lodi Avenue. The letter continued that it has recognized that this project would help cut down on accidents and provide additional safety for the vehicle making left hand turns.

Addressing the Council regarding the matter were:

Mr. Marty McCann, Tradewind Tires, 1 W. Lodi Avenue, Lodi

Ms. Eileen St. Yves, Lyon's Restaurant, 233 S. School, Lodi

Following discussion, Council, on motion of Council Member Snider, Olson second, adopted Resolution No. 86-84 approving certain raised median bumpers and establishing "No Parking" zones on Lodi Avenue at Church Street, School Street, and Sacramento Street.

ADJOURNMENT TO MEETING
OF THE CITY OF LODI
INDUSTRIAL DEVELOPMENT
AUTHORITY

Mayor Reid adjourned the meeting at approximately 9:45 p.m. to a meeting of the City of Lodi Industrial Development Authority.

MEETING RECONVENED At approximately 9:50 p.m. the City Council Meeting was reconvened by Mayor Reid.

ADJOURNED TO CLOSED
SESSION OF THE COUNCIL
RE MATTER PERTAINING
TO POSSIBLE LITIGATION

At approximately 9:51 p.m. the City Council Meeting was adjourned to a Closed Session of the Council regarding a matter pertaining to possible litigation.

MEETING RECONVENED At approximately 9:58 p.m. the meeting was reconvened and the Council, on motion of Council Member Pinkerton, Olson second, authorized Staff settlement authority up to \$7,000 in the negotiations regarding this matter.

ADJOURNMENT The meeting was adjourned at approximately 10:00 p.m. to Wednesday, May 28, 1986 at 7:30 p.m. in the Team Room, Hutchins Street Square, for a presentation and discussion on needed expansion to the City's White Slough Sewage Treatment Plant and possible methods of financing.

ATTEST:

Alice M. Reimche
ALICE M. REIMCHE
City Clerk